

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JONATHAN LOWRY et al.,	:	:	
	:	:	
Plaintiffs,	:	:	21-CV-7861 (JMF)
	:	:	
-v-	:	:	<u>DEFAULT JUDGMENT</u>
	:	:	<u>AND ORDER</u>
GABRIEL EDELMAN et al.,	:	:	
	:	:	
Defendants.	:	:	
-----X		:	

JESSE M. FURMAN, United States District Judge:

Plaintiffs moved for default judgment against Edelman Blockchain Advisors (“EBA”), Creative Advancement, LLC (“Creative Advancement”), CH Global Inc. (“CH Global”), Euro Credit, LLC (“Euro Credit”), and Vix Capital Partners, LP f/k/a Vix Capital Partners, LLC (“Vix”). *See* ECF No. 184.

As discussed on the record at the default judgment hearing on October 4, 2022, Plaintiffs’ motion for default judgment is GRANTED, but *as to liability only*, against EBA, Creative Advancement, CH Global, and Euro Credit (“Defaulting Defendants”). By separate Order, the Court will refer the case to Magistrate Judge Ona T. Wang for an inquest on damages as to Defaulting Defendants.

Plaintiffs’ motion is DENIED with respect to Vix in light of their confirmation that the Third Amended Complaint was not served on Vix. *See* ECF No. 194. Plaintiffs shall serve the Third Amended Complaint — and a copy of this Order — on Vix no later than **October 21, 2022**. Unless Plaintiffs provide authority for the proposition that service on Vix pursuant to Rule 5 of the Federal Rules of Civil Procedure would be proper *and* the Court grants leave to serve

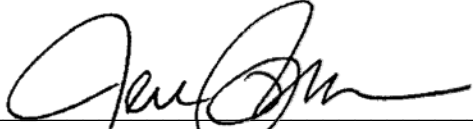
Vix pursuant to that Rule, service shall be made in accordance with Rule 4. Vix shall have **three weeks after such service** to file an answer. If Vix does not file an answer by the deadline, Plaintiffs shall, **within one week of the deadline**, file a new default judgment motion against both Vix and Latinum Holdings, LLC (“Latinum”). To be clear, the foregoing modifies the deadlines for Plaintiffs’ default judgment motion against Latinum that the Court set during the hearing on October 4, 2022.

As discussed during the October 4, 2022 hearing, Plaintiffs shall file a status update regarding efforts to serve Chen Edelman 90 days after the Third Amended Complaint was filed.

The Clerk of Court is directed to terminate Docket No. 184.

SO ORDERED.

Dated: October 7, 2022
New York, New York



JESSE M. FURMAN
United States District Judge